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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,261	10/10/2000	William Kenney	06975-029001	4267
26171	7590	11/10/2003	EXAMINER	
FISH & RICHARDSON P.C. 1425 K STREET, N.W. 11TH FLOOR WASHINGTON, DC 20005-3500			LY, ANH VU H	
			ART UNIT	PAPER NUMBER
			2667	
DATE MAILED: 11/10/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/582,261	KENNEY, WILLIAM
	Examiner Anh-Vu H Ly	Art Unit 2667

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_ is: a) approved b) disapproved by the Examiner.
 

If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ .	6) <input type="checkbox"/> Other: ____ .

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 2, 15 and 17-21 are objected to because of the following informalities:

Claim 2, in line 4, a colon inserted at the end of the paragraph instead of a period.

Claim 15, in line 1 currently read as “The server of claim 14”, however, claim 14 recites a host system, not a server.

Claims 17-21, in line 1 current read as “The program apparatus of claim 16”, however, claim 16 recites a computer program, not program apparatus.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown (US Patent No. 6,195,691).

With respect to claims 1-3 and 7-21, Brown discloses in Fig. 1 a communications system comprising end user 105, local ISP (terminal server, herein, the terminal server having a location, which is its IP address) for connecting end user to the Internet 20, company server 103 (host system) and its associated services 103a (database) for providing (col. 3, lines 30-36) advertisements, locations of local stores, current company catalogs, news, sports, weather and stock quotes, etc...

Brown discloses in Fig. 2 that when an end user clicks on the button 501, a request message is sent from the local ISP to the company server 103 via the Internet. Herein, it is known in the art that when a message is sent over the Internet such message comprising the source address, destination, and other features such as type of message, CRC, etc... Herein, the company server receives a message from the local ISP which comprising the identification of the local ISP, such as the first xxx.xxx.xxx.\*\*\* (receiving at a host system, terminal server identification from a terminal server), wherein the \*\*\* identifies the end user.

Brown discloses (col. 4, lines 15-19) that depending upon of end user 105 position within the particular selection criteria, i.e., zip code, size of user's business, etc..., the domain of link 501 is dynamically generated and redirected end user 105 to the one appropriate local host. As cited in the above rejections, the company may provide news, sports, weather, and stock quotes besides locations of local stores. Therefore, upon receiving a request from the end user and his criteria such as a request for a local weather, the company server 103 can search its services 103a for the selected information (querying a database to obtain service data associated with the

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location based on terminal server identification) and return the information back to the local ISP (automatically sending the location specific service data from the host system to the terminal server). Herein, the company server searches its services 103 base on the terminal server identification such as xxx.xxx.xxx, or the zip code, provided by the end user, and provides the information upon the request such as local weather back to terminal server further forwards to the end user.

With respect to claim 4, Brown discloses in Fig. 1, end user 105 connects to local ISP (establishing a data connection between the terminal server and a client computer). Further, as stated in the above rejections, once the local ISP receives the information from the company server (receiving the location specific service data at the terminal server), the local ISP forwards the information to the client (forwarding the location specific service data from the terminal server to the client computer).

With respect to claim 5, Brown discloses in Fig. 1, end user 105 connects to the local ISP before requesting information from the company server (wherein the step of establishing a data connection is carried out prior to the step of receiving the terminal server identification).

With respect to claim 6, Brown discloses in Fig. 1, end user 105 connects to the local ISP by dialing the local ISP number (wherein the step of establishing a data connection further comprising the step of receiving a dial-up modem connection from a client computer).

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chaddha (US Patent No. 6,122,658) discloses custom localized information in a networked server for display to an end user.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H Ly whose telephone number is 703-306-5675. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 703-305-4378. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

avl

KWANG BIN YAO  
PRIMARY EXAMINER  
